IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 7TH SEPTEMBER 2007 / 16TH BHADRA 1929

Bail Appl..No. 5505 of 2007()

CRIME NO.185/07 OF PULPALLY POLICE STATION

PETITIONER/4TH ACCUSED

UMMER,S/O.HAMZA HAJI,
CHALITHODI HOUSE,KOILERI.P.O. PAYYAMPALLY,
MANANTHAVADY TALUK,
WYNAD.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS: COMPLAINANT/STATE

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1. THE SUB INSPECTOR OF POLICE,
PULPALLY POOLICE STATION.

2. STATE REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY D.G.P. SRI. P.G. THAMPI.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. No. 5505 OF 2007

Dated this the 7th day of September, 2007

ORDER

The petitioner is the 4th accused in a prosecution under the provisions of the Kerala Abkari Act. The petitioner was arrested on 13/7/07. He continues in custody even now. An earlier application for bail filed by the petitioner was dismissed by this Court as per the order dated 23/8/07 in B.A.No.4769/07. I had adverted to the facts in detail in the said order. It is not necessary for me, in these circumstances, to make a detailed reference to the facts again in this order. Suffice it to say that the allegation against the petitioner is that he had arranged for the stay of certain persons who are suspected to have carried the contraband article – 8540 litres of spirit.

2. Today, when the matter came up for hearing, the learned Director General of Prosecution submits that the State

has no objection against the grant of regular bail to the petitioner herein subject to appropriate conditions. I am satisfied that in the absence of objections on the part of the State, regular bail can be granted to the petitioner subject to conditions.

3. **In the result:**

(a) The application is allowed.

(b) The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall execute a bond for Rs.50,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(ii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

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(R. BASANT, JUDGE)

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